

**641—154.1 (87GA, HF524) Definitions.** For the purposes of these rules, the following definitions shall apply:

*“Bordering state”* means the same as defined in Iowa Code section 331.910.

*“Date of expiration”* means one year from the date of issuance of the medical cannabidiol registration card by the department of transportation.

*“Date of issuance”* means the date of issuance of the medical cannabidiol registration card by the department of transportation.

*“Debilitating medical condition”* means any of the following:

1. Cancer, if the underlying condition or treatment produces one or more of the following:
  - Severe or chronic pain.
  - Nausea or severe vomiting.
  - Cachexia or severe wasting.
2. Multiple sclerosis with severe and persistent muscle spasms.
3. Seizures, including those characteristic of epilepsy.
4. AIDS or HIV as defined in Iowa Code section 141A.1.
5. Crohn’s disease.
6. Amyotrophic lateral sclerosis.
7. Any terminal illness, with a probable life expectancy of under one year, if the illness or its treatment produces one or more of the following:
  - Severe or chronic pain.
  - Nausea or severe vomiting.
  - Cachexia or severe wasting.
8. Parkinson’s disease.
9. Untreatable pain.

*“Department”* means the Iowa department of public health.

*“Department of transportation”* means the Iowa department of transportation.

*“Disqualifying felony offense”* means a violation under federal or state law of a felony under federal or state law, which has as an element the possession, use, or distribution of a controlled substance, as defined in 21 U.S.C. §802(6).

*“Health care practitioner”* means an individual licensed under Iowa Code chapter 148 to practice medicine and surgery or osteopathic medicine and surgery who is a patient’s primary care provider. “Health care practitioner” shall not include a physician assistant licensed under Iowa Code chapter 148C or an advanced registered nurse practitioner licensed pursuant to Iowa Code chapter 152 or 152E.

*“Medical assistance program”* means IA Health Link, Medicaid Fee-for-Service, or HAWK-I, as administered by the Iowa Medicaid enterprise of the Iowa department of human services.

*“Medical cannabidiol”* means any pharmaceutical grade cannabinoid found in the plant *Cannabis sativa* L. or *Cannabis indica* or any other preparation thereof that has a tetrahydrocannabinol level of no more than 3 percent and that is delivered in a form recommended by the medical cannabidiol board, approved by the board of medicine, and designated in this chapter.

*“Patient”* means a person who is a permanent resident of the state of Iowa who suffers from a debilitating medical condition that qualifies for the use of medical cannabidiol pursuant to 2017 Iowa Acts, House File 524.

*“Permanent resident”* means a natural person who physically resides in Iowa as the person’s principal and primary residence and who establishes evidence of such residency by providing the department with one of the following:

1. A valid Iowa driver’s license,
2. A valid Iowa nonoperator’s identification card,
3. A valid Iowa voter registration card,
4. A current Iowa vehicle registration certificate,
5. A utility bill,
6. A statement from a financial institution,
7. A residential lease agreement,
8. A check or pay stub from an employer,
9. A child’s school or child care enrollment documents,
10. Valid documentation establishing a filing for homestead or military tax exemption on property located in Iowa, or
11. Other valid documentation as deemed acceptable by the department to establish residency.

*“Primary caregiver”* means a person who is a resident of this state or a bordering state, including but not limited to a parent or legal guardian, at least 18 years of age, who has been designated by a patient’s health care practitioner as a necessary caretaker taking responsibility for managing the well-being of the patient with respect to the use of medical cannabidiol pursuant to the provisions of 2017 Iowa Acts, House File 524.

*“Primary care provider”* means any health care practitioner involved in the diagnosis and treatment of a patient’s debilitating medical condition.

*“State”* means a state of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

*“Untreatable pain”* means any pain whose cause cannot be removed and, according to generally accepted medical practice, the full range of pain management modalities appropriate for the patient has been used without adequate result or with intolerable side effects.

*“Written certification”* means a document signed by a health care practitioner, with whom the patient has established a patient-provider relationship, which states that the patient has a debilitating medical condition and identifies that condition and provides any other relevant information.